

REMARKS

This communication is in response to the Office Action mailed June 13, 2006. Claims 1-6 and 9-13 are pending in the subject application. The Examiner has rejected claims 1-6 and 9-13. Applicant has amended claims 1 and 11-13.

Applicant will sequentially address the issues raised by the Examiner.

Claim Rejections under 35 U.S.C. §103

The Examiner has rejected claims 1-13 under 35 U.S.C. §103(a) as being unpatentable over LEONG et al. (U.S. Patent 6,269,398) in view of WOOKEY (U.S. Patent 6,023,507). Independent claims 1 and 11-13 have been amended to more fully distinguish over the cited prior art.

Applicant respectfully traverses the rejection of claims 1-6 and 9-10 based on the amendments to independent claim 1. Independent claim 1 is amended to recite an apparatus for managing a communication device including: an identifying table storing unit operable to store an identifying table *that is customizable to include* a plurality of sets, each of said plurality of sets including *customizable parameters including* an identifying condition and a corresponding check method, where the identifying condition is for determining a type of an identified communication device satisfying the identifying condition, and where the check method is for determining a function of the identified communication device; an identifying unit coupled to the identifying table storing unit, such that the identifying unit accesses the identifying table to determine which identifying condition is satisfied by the communication device based on pre-determined priorities of each of the plurality of sets; a communication unit coupled to the identifying unit, where the communication unit is for communicating with the communication device; a check unit coupled to an output of the identifying unit such that the check unit receives from the identifying unit the check method; an input unit coupled to the identifying unit and operable for a user of the management apparatus to input the plurality of sets and the customizable parameters; a registration unit coupled to the input unit and the identifying table storage unit, and operable to *customize the identifying table to include the plurality of sets and the customizable parameters*; and a priority setting unit coupled to the identifying table storing

unit and the registration unit, and operable to *reorder* the priorities for each of the plurality of sets based on the identifying conditions of the plurality of sets. The identifying table being customizable to include a plurality of sets, each of said plurality of sets including customizable parameters including an identifying condition and a corresponding check method, is supported. (paragraph [0043]; paragraph [0047], lines 1-6; paragraph [0102]; FIG. 3) The registration unit being operable to customize the identifying table to include the plurality of sets and the customizable parameters is supported. (paragraph [0047], lines 1-6; paragraph [0043]; paragraph [0102]) The priority setting unit being operable to reorder the priorities for each of the plurality of sets based on the identifying conditions of the plurality of sets is supported. (paragraph [0084])

LEONG et al. in view of WOOKEY does not teach, suggest, or motivate a priority setting unit that is operable to *reorder* the priorities for each of the plurality of *sets based on the identifying conditions* of the plurality of sets. LEONG et al. teaches that priorities are set at system initiation time to control the number of polling requests and to reduce the number of packets to be sent by the management system. (col. 9, lines 7-17) However, LEONG et al. fails to make any suggestion that there is any relationship taught between the priority setting and the type of communication device. LEONG et al. discloses only a round-robin order for device polling; when a group of devices is polled, its priority is modified from highest priority to lowest priority, and all other groups of devices will have their priorities raised by one level. (col. 9, lines 14-27) There is also no need for any relationship between priority setting and the type of communication device in LEONG et al., as LEONG et al. applies only to routers; “[T]he present invention is directed to a [sic] monitoring, viewing, and altering information regarding routers which are commonly utilized in communication networks.” (col. 1, lines 29-32; FIG. 3A; FIG. 3B) LEONG et al. therefore teaches away from a priority setting that depends on an identifying condition for a type of communication device, and that does not change in a round-robin fashion. WOOKEY teaches that in a remote computer monitoring system, various steps must occur in a particular order to enable the transferring of diagnostic data from monitored computers to a service center. In particular, WOOKEY teaches that activation of modem communication must be performed before verifying the communication software via the modem connection, which must be performed before transferring diagnostic data using the communication software via the

modem connection. (col. 9, lines 52-67) However, WOOKEY makes no suggestion that the ordering of these steps can be reordered. Rather, WOOKEY teaches away from reordering these steps for any reason because otherwise the system will not be able to transfer data. The subject application teaches that an input set including an identifying condition and a corresponding check method are registered in an identifying table by a registration unit. (Subject application, paragraph [0084], lines 1-4) Since a series of sets may be input in any order, the priority setting unit typically reorders sets after any registration of a new set to maintain the sets in the order of highest priority to the lowest priority in the identifying table. (Subject application, paragraph [0084], lines 7-8) This reordering will typically not be a round-robin reordering, as disclosed in LEONG et al. This reordering may be based on, for example, relationships of inclusiveness between identifying conditions or the number of communication devices satisfying corresponding identifying conditions. (Subject application, paragraphs [0086], [0090]) Since LEONG et al. teaches away from a priority setting that can be generally reordered or that depends on an identifying condition for a type of communication device, and since WOOKEY teaches away from reordering steps for any reason because otherwise the system will not be able to transfer data, one of ordinary skill in the art could not have derived the subject invention from the combination of LEONG et al. and WOOKEY.

Furthermore, LEONG et al. does not teach or suggest an identifying table that includes a *plurality of sets including an identifying condition and a corresponding check method, where each identifying condition is for determining a type of an identified communication device satisfying the identifying condition*. Neither the management information base (MIB) nor the management station of LEONG et al. use a plurality of identifying conditions with corresponding check methods. Each MIB and each agent of LEONG et al. are embedded into a router. (col. 2, lines 1-2; col. 2, lines 7-9) LEONG et al. teaches that the router MIB contains information specific to the router that is polled for by the network manager via the agent; “(1) basic information on the router, block 310; (2) information on available protocols, block 311; and (3) information on router interfaces, block 313.” (col. 8, lines 57-61) The router MIB therefore does not determine the type or function of any communication device, and does not contain a plurality of identifying conditions for determining a type of a communication device. Rather, the router MIB contains information specific to an individual router. Therefore, LEONG et al. teaches

away from a MIB that includes a plurality of sets including an identifying condition and a corresponding check method, where each identifying condition is for determining a type of an identified communication device satisfying the identifying condition. As a result, one of ordinary skill in the art could not have derived the subject invention from the combination of LEONG et al. and WOOKEY.

The network manager of LEONG et al. also fails to use a plurality of identifying conditions with corresponding check methods. Rather, the network manager needs only a single identifying condition with a single corresponding check method. As described earlier, the invention of LEONG et al. applies only to routers. (col. 1, lines 29-32; FIG. 3A; FIG. 3B) Also, all routers are queried using the same basic polling method. This is fundamental to the invention of LEONG et al., a primary benefit of which is this common polling method for obtaining protocol information from all routers in a network. (col. 6, lines 29-35; col. 9, lines 32-42) Therefore, LEONG et al. teaches away from the use of a plurality of identifying conditions with corresponding check methods in managing a communication network. In contrast, the invention of the subject application enables convenient management of a network containing a plurality of device types, each of which requires a potentially distinct check method to determine device functions. (Subject application FIG. 3; paragraphs [0006], [0007]) Since LEONG et al. teaches away from the use of a plurality of identifying conditions with corresponding check methods in managing a communication network, one of ordinary skill in the art could not have derived the subject invention from the combination of LEONG et al. and WOOKEY.

Moreover, LEONG et al. does not teach or suggest an identifying table *that is customizable* to include a plurality of sets, each of said plurality of sets including *customizable parameters* including an identifying condition and a corresponding check method. A MIB table cannot be customized using the network disclosed in LEONG et al. LEONG et al. teaches that “[u]sing a connectionless protocol the manager requests and obtains information from the MIBs.” (col. 2, lines 10-11) LEONG et al. also teaches that the definition of a MIB is standardized. (col. 2, line 17) A standardized definition for a MIB is important because a MIB defines variables needed by network management protocols to monitor and control devices in a network. LEONG et al. therefore teaches away from the customization of a MIB table. In contrast, the subject application teaches a customizable identifying table because this enables

more convenient network management. (Subject application, paragraphs [0006], [0007]) Since LEONG et al. teaches away from the customization of an identifying table, one of ordinary skill in the art could not have derived the subject invention from the combination of LEONG et al. and WOOKEY.

For these reasons, LEONG et al. in view of WOOKEY fails to teach, suggest, or motivate the subject matter that is defined by claim 1. Thus, claim 1 should be in a condition for allowance.

Applicant respectfully traverses the rejection of independent claim 12 based on the amendments to that claim. The elements of claim 12 for a computer readable medium are essentially identical to the elements for apparatus claim 1. Therefore, the same arguments for amended claim 1 apply equally to amended claim 12.

Applicant respectfully traverses the rejection of independent claim 11 based on the amendments to that claim. Independent claim 11 is amended to recite an apparatus for managing a communication device including: an identifying table storing unit operable to store an identifying table *that is customizable to include* a plurality of sets, each of said plurality of sets including *customizable parameters including* an identifying condition and a corresponding monitoring method, where the identifying condition is for determining a type of an identified communication device satisfying the identifying condition, and where the monitoring method is for monitoring a status of the identified communication device; an identifying unit coupled to the identifying table storing unit, such that the identifying unit accesses the identifying table to determine which identifying condition is satisfied by the communication device based on pre-determined priorities of each of the plurality of sets; a communication unit coupled to the identifying unit, where the communication unit is for communicating with the communication device; a monitoring unit coupled to the identifying unit such that the monitoring unit receives from the identifying unit the monitoring method; an input unit coupled to the identifying unit and operable for a user of the management apparatus to input the plurality of sets and the customizable parameters; a registration unit coupled to the input unit and the identifying table storage unit, and operable to *customize the identifying table to include the plurality of sets and the customizable parameters*; and a priority setting unit coupled to the identifying table storing unit and the registration unit, and operable to *reorder* the priorities for each of the plurality of

sets based on the identifying conditions of the plurality of sets. The identifying table being customizable to include a plurality of sets, each of said plurality of sets including customizable parameters including an identifying condition and a corresponding monitoring method, is supported. (paragraph [0043]; paragraph [0047], lines 1-6; paragraph [0102]; FIG. 3) The registration unit being operable to customize the identifying table to include the plurality of sets and the customizable parameters is supported. (paragraph [0047], lines 1-6; paragraph [0043]; paragraph [0102]) The priority setting unit being operable to reorder the priorities for each of the plurality of sets based on the identifying conditions of the plurality of sets is supported. (paragraph [0084])

Claim 11 is amended to include limitations of the type discussed in connection with claim 1. Therefore, claim 11 should also be in a condition for allowance.

Applicant respectfully traverses the rejection of independent claim 13 based on the amendments to that claim. The elements of claim 13 for a computer readable medium are essentially identical to the elements for apparatus claim 11, and of the type discussed in connection with claim 1. Therefore, claim 13 should also be in a condition for allowance.

For these reasons, LEONG et al. fails to show or suggest the subject matter that is defined by claims 1 and 11-13. Thus, claims 1 and 11-13 should be in a condition for allowance. Claims 2-6 and 9-10, dependent on claim 1, should also be in a condition for allowance.

Summary


In sum, all claims should be in a condition for allowance, which is respectfully solicited. If there are any residual issues that can be resolved with a telephone call, the Examiner is requested to contact the undersigned.

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